

# In the United States Court of Federal Claims

Nos. 13-608C and 13-672C  
(Filed: October 30, 2013)

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BRYNDON FISHER, et al., \*

\*

Plaintiffs, \*

\*

v. \*

\*

THE UNITED STATES, \*

\*

Defendant. \*

\*\*\*\*\*

ERICK SHIPMON, \*

\*

Plaintiff, \*

\*

v. \*

\*

THE UNITED STATES, \*

\*

Defendant. \*

\*\*\*\*\*

## **ORDER ON PLAINTIFFS' MOTION FOR CONSOLIDATION OF SHAREHOLDER DERIVATIVE ACTIONS AND APPOINTMENT OF LEAD COUNSEL**

AND NOW, upon consideration of Plaintiffs Bryndon Fisher, Bruce Reid, and Erick Shipmon's Motion for Consolidation of Shareholder Derivative Actions and Appointment of Lead Counsel, and good cause appearing therefore, it is hereby ORDERED and DECREED as follows:

### **CONSOLIDATION**

1. The actions pending in this Court captioned *Fisher v. United States*, No. 13-cv-00608-MMS and *Shipmon v. United States*, No. 13-cv-00672-MMS are consolidated under the *Fisher* caption and docket number (the "Consolidated Derivative Action"), and within thirty (30) days from the date of this Order, Robert C. Schubert shall designate an operative complaint or file a consolidated complaint in the Consolidated Derivative Action.

2. Any similar derivative action filed or transferred to this Court hereafter that seeks, on behalf of Federal National Mortgage Association, compensation relating to the Net Worth Sweep by the United States of America on (as defined in the the complaints in the Derivative Actions) or related government actions shall be consolidated with the Consolidated Derivative Action.

**APPOINTMENT OF LEAD COUNSEL**

3. Robert C. Schubert shall be appointed Lead Counsel and Attorney of Record for the Consolidated Derivative Action.

4. Lead Counsel shall have the authority to speak for plaintiffs in the Consolidated Derivative Action for all matters. Lead Counsel shall make all work assignments in such a manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative and unproductive effort.

5. Lead Counsel shall be responsible for coordination of all activities and appearances on behalf of plaintiffs for the dissemination of notices and orders of this Court. No motion, request for discovery, or other proceeding shall be initiated or filed by plaintiffs except through Lead Counsel.

**IT IS SO ORDERED.**

s/ Margaret M. Sweeney  
MARGARET M. SWEENEY